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Attorney Docket No.: 200312561-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Eric JULIEN	**Confirmation No.:**	5842
Serial No.:	10/561,786	**Examiner:**	Jae Young LEE
Filed:	March 22, 2006	**Group Art Unit:**	2466

Title: PROCESS OF SIGNALLING MESSAGES ACCORDING TO ONE OF A PLURALITY OF PROTOCOL STACKS

MAIL STOP APPEAL BRIEF - PATENTS
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APPEAL BRIEF - PATENTS

Sir:

This is an Appeal Brief in connection with the decisions of the Examiner in a Final Office Action mailed September 2, 2010, and in connection with the Notice of Appeal filed on December 2, 2010.

It is respectfully submitted that the present application has been at least twice rejected.

Each of the topics required in an Appeal Brief and a Table of Contents are presented herewith and labeled appropriately.

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(1) Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 11445 Compaq Center Drive West, Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

(2) Related Appeals and Interferences

The Appellant is unaware of any appeals or interferences related to this case.

(3) Status of Claims

Claims 3 and 7 are canceled.

Claims 1-2, 4-6, and 8-16 are pending and stand rejected.

Pursuant to 37 C.F.R. § 41.37, the Appellant hereby appeals the Examiner's decision finally rejecting all of the pending claims to the Board of Patent Appeals and Interferences. Therefore, the rejections of claims 1-2, 4-6, and 8-16 of this application are appealed.

(4) Status of Amendments

No amendment was filed subsequent to the Final Office Action dated September 2, 2010.

A copy of the claims at issue on appeal is attached as the Claims Appendix.

(5) Summary of Claimed Subject Matter

Claims 1 and 5 are the independent claims in this appeal. It should be understood that the citations below to the original disclosure as providing support for the claimed features are merely exemplary and do not limit the claim features to only those citations.

Claim 1. A method comprising:

receiving a message from an originating network element at an interface of a service application, wherein the service application interfaces with both a Signaling System 7 (SS7) network and an Internet Protocol (IP) network, and wherein the message includes a point code associated with the originating network element (*Specification*, page 7, lines 4-33, and page 8, lines 12-18; Fig. 9, step 900; Fig. 7, service application 706, network element 702);

accessing a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network types (*Specification*, page 7, lines 20-34, and page 8, lines 12-18; Fig. 9, step 902);

processing the message with the MTP3 layer if it is determined that the point code associated with the originating network element corresponds to the SS7 network (*Specification*, page 8, lines 6-18; Fig. 9, steps 904 and 906); and

processing the message with the M3UA layer if it is determined that the point code associated with the originating network element corresponds to the IP network (*Specification*, page 8, lines 6-18; Fig. 9, steps 904 and 908).

Claim 5. A device (service application 706 in Fig. 7 and Fig. 8), comprising:

a communication interface configured to receive a message from an originating network element, wherein the device interfaces with both a Signaling System 7 (SS7) network and an Internet Protocol (IP) network, and wherein the message includes a point code associated with the originating network element (*Specification*, page 7, lines 4-33; Fig. 7, service application 706 receiving a message from network element 702; Fig. 8, interface MTP3 API);

a processor (*Specification*, page 3, lines 23-28); and

a computer-readable storage medium (*Specification*, page 8, lines 2-4) including computer-readable instruction stored therein that, upon execution by the processor, cause the device to:

access a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network type (*Specification*, page 7, lines 20-34, and page 8, lines 12-18; Fig. 9, step 902);

process the message with the MTP3 layer if it is determined that the point code associated with the originating network element corresponds to the SS7 network (*Specification*, page 8, lines 6-18; Fig. 9, steps 904 and 906); and

process the message with the M3UA layer if it is determined that the point code associated with the originating network element corresponds to the IP network (*Specification*, page 8, lines 6-18; Fig. 9, steps 904 and 908).

(6) Grounds of Rejection to be Reviewed on Appeal

A. Whether claims 1 and 16 were properly rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0131427 to Niermann (hereinafter "Niermann") in view of U.S. Patent No. 6,590,965 to Poole et al. (hereinafter "Poole").

B. Whether claim 2 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of U.S. Patent No. 6,944,184 to Miller et al. (hereinafter "Miller").

C. Whether claim 4 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of U.S. Patent No. 7,054,326 to Garcia-Martin (hereinafter "Garcia-Martin").

D. Whether claims 5, 6, and 12 were properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller.

E. Whether claim 8 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Garcia-Martin.

F. Whether claim 9 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and U.S. Patent Application Publication No. 2007/0220166 to Lundstrom (hereinafter "Lundstrom").

G. Whether claim 10 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and U.S. Patent Application Publication No. 2003/0016684 to Prasad et al. (hereinafter "Prasad").

H. Whether claim 11 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Prasad.

I. Whether claim 13 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad.

J. Whether claim 14 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Lundstrom.

K. Whether claim 15 was properly rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad.

(7) Arguments

A. The rejection of claims 1 and 16 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole should be reversed.

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007):

> "Under §103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or nonobviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented." Quoting *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966).

According to the Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, Federal Register, Vol. 72, No. 195, 57526, 57529 (October 10, 2007), once the *Graham* factual inquiries are resolved, there must be a determination of whether the claims would have been obvious to one of ordinary skill in the art based on any one of the following proper rationales:

> (A) Combining prior art elements according to known methods to yield predictable results; (B) Simple substitution of one known element for another to obtain predictable results; (C) Use of known technique to improve similar devices (methods, or products) in the same way; (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results; (E) ''Obvious to try''—choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art; (G)

> Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention. *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

Furthermore, as set forth in *KSR International Co. v. Teleflex Inc.*, quoting from *In re Kahn*, 441 F. 3d 977, 988 (CA Fed. 2006), "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasonings with some rational underpinning to support the legal conclusion of obviousness."

Furthermore, as set forth in MPEP 2143.03, to ascertain the differences between the prior art and the claims at issue, "[a]ll claim limitations must be considered" because "all words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385.

- **Claims 1 and 16:**

Claims 1 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole. This rejection should be reversed for at least the following reasons.

  - Independent Claim 1:

Independent claim 1 recites, *inter alia*,

> accessing a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network types. (*Emphasis added*)

Niermann in view of Poole fails to teach or suggest the features recited above for at least the following reasons.

In setting forth the rejection of claim 1, the Examiner asserts that the features recited above in claim 1 are disclosed in Niermann, paragraph [0040], lines 6-9 (See *Final Office Action*, page 6). More specifically, the Examiner asserts,

> Niermann teaches "the SG 114A will *route* the traffic it receives from its SS7 interface 116 using the Network Indicator (NI) and Destination Point Code (DPC) of the traffic (paragraph 0040, lines 6-9)." It is obvious that the SG maintains routing table (or DB) in order to route the packet including "NI" and "DPC" in its header upon receiving it.

(See *Final Office Action*, page 2, under "Response to Arguments" section).

As such, the Examiner equates the routing table in the signaling gateway SG 114A of Niermann to the "network selection table" recited in claim 1. However, that assertion is respectfully traversed because a routing table is merely for routing traffic packets to destination nodes. Destination nodes are not the same as network types. Thus, a routing table does not select a network type for a packet, and does not include entries that associate point codes with network types. Therefore, the routing table in the SG 114A of Niermann is not the same as the "network selection table" which "comprises entries that associate point codes with network types," as recited in claim 1. Accordingly, Niermann fails to teach or suggest "accessing a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, ... wherein the network selection table comprises entries that associate point codes with network types," as recited in claim 1.

Furthermore, as admitted by the Examiner in the quote above and as disclosed in paragraph [0040] of Niermann, the traffic packet that the SG 114A receives already has a

Network Indicator (NI) to indicate the network type of the destination. Therefore, there is clearly no need to add a network selection table comprising entries that associate point codes with network types into the signaling gateway SG 114A or any other element in Niermann. Therefore, it would not have been obvious for one skilled in the art to modify Niermann by adding a network selection table comprising entries that associate point codes with network types, and accessing said network selection table to determine how to process a message.

In the rejection of claim 1, Poole is relied upon for disclosing a point code associated with an originating network element. As such, Poole is not relied upon for disclosing the features "accessing a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, ... wherein the network selection table comprises entries that associate point codes with network types," recited in claim 1. Nor does it teach or suggest those features. Therefore, Poole fails to cure the deficiencies of Niermann, and thus, the combination of Niermann in view of Poole fails to teach or suggest the features recited above in claim 1.

For at least the foregoing reasons, independent claim 1 is *not* obvious in view of the combined disclosures contained in Niermann and Poole. Therefore, it is respectfully requested that the rejection of independent claim 1 be reversed and the claim be allowed.

- Dependent Claim 16:

Claim 6 is dependent from independent claim 1. Thus, claim 16 is believed to be allowable over the cited documents of record for at least the same reasons as set forth above in

connection with independent claim 1. It is therefore respectfully requested that the rejection of claim 16 be reversed, and this claim be allowed.

B. The rejection of claim 2 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller should be reversed.

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller. This rejection should be reversed for at least the following reasons.

Claim 2 is dependent from independent claim 1. As discussed above, the proposed combination of Niermann in view of Poole fails to disclose all of the features of independent claim 1. In setting forth the rejection of claim 2, the Examiner has not and cannot reasonably assert that the disclosure contained in Miller makes up for any of the deficiencies with respect to the proposed combination of Niermann in view of Poole. Accordingly, even assuming for the sake of argument that one of ordinary skill in the art were somehow motivated to modify Niermann in view of Poole with the disclosure contained in Miller, the proposed modification would still fail to yield all of the features of independent claim 1, upon which claim 2 depends.

For at least the foregoing reasons, the Examiner has failed to establish that claim 2 is *prima facie* obvious in view of the combined disclosures contained in Niermann, Poole, and Miller, as proposed in the Final Office Action. Therefore, reversal of the rejection of claim 2 and allowance of this claim is respectfully requested.

C. The rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Garcia-Martin should be reversed.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Garcia-Martin. This rejection should be reversed for at least the following reasons.

Claim 4 is dependent from independent claim 1. Thus, claim 4 is believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 1 above. It is therefore respectfully requested that the rejection of claim 4 be reversed, and this dependent claim be allowed.

D. The rejection of claims 5, 6, and 12 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller should be reversed.

Claims 5, 6, and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller. This rejection should be reversed for at least the following reasons.

- Independent Claim 5:

  Independent claim 5 recites, *inter alia*,

  > access a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network type. (*Emphasis added*)

Thus, independent claim 5 recites features similar to those of independent claim 1 as discussed above. Thus, independent claim 5 is believed to be allowable over Niermann in view of Poole for at least the same reasons as set forth above in connection with independent claim 1. Moreover, Miller is used to disclose a computer readable medium. Thus, Miller is not relied upon to teach the features recited above, nor does it teach or suggest those features. It is therefore respectfully requested that the rejection of independent claim 5 be reversed and this claim be allowed.

- Dependent Claims 6 and 12:

Claims 6 and 12 are dependent from independent claim 5. Thus, claims 6 and 12 are also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 5 above. It is therefore respectfully requested that the rejection of claims 6 and 12 be reversed, and these dependent claims be allowed.

E. The rejection of claim 8 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Garcia-Martin should be reversed.

Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Garcia-Martin. This rejection should be reversed for at least the following reasons.

Claim 8 is dependent from independent claim 5. Thus, claim 8 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to

independent claim 5 above. It is therefore respectfully requested that the rejection of claim 8 be reversed, and this dependent claim be allowed.

F. The rejection of claim 9 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Lundstrom should be reversed.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Lundstrom. This rejection should be reversed for at least the following reasons.

Claim 9 is dependent from independent claim 5. Thus, claim 9 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 5 above. It is therefore respectfully requested that the rejection of claim 9 be reversed, and this dependent claim be allowed.

G. The rejection of claim 10 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Prasad should be reversed.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Prasad. This rejection should be reversed for at least the following reasons.

Claim 10 is dependent from independent claim 5. Thus, claim 10 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to

independent claim 5 above. It is therefore respectfully requested that the rejection of claim 10 be reversed, and this dependent claim be allowed.

H. The rejection of claim 11 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Prasad should be reversed.

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Miller and Prasad. This rejection should be reversed for at least the following reasons.

Claim 11 is dependent from independent claim 5. Thus, claim 11 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 5 above.

Furthermore, claim 11 recites, "wherein the device is not a signaling gateway." The feaure recited in claim 11 refers to the service application such as 706 in Fig. 7 of the present application, which is not a signaling gateway. In fact, the entire disclosure of the present application discounts the use of a signaling gateway because it is expensive and adds routing complexity, and should be avoided (See *Specification*, page 2, lines 13-18 and page 6, lines 4-6).

In setting forth the rejection of claim 11, the Examiner admits that Niermann in view of Poole and Miller fails to teach or suggest the feature recited in claim 11 because in Niermann, the SG 114A is a signaling gateway (See *Final Office Action*, page 20). The Examiner then asserts that Prasad discloses a device that is not a signaling gateway, including the STP 20A and 20C in Fig. 3 and the routing table 550 in Fig. 6. *Id.* However, that assertion is respectfully

traversed. In Prasad, STP 20A and STP 20C are "signal transfer points" for transferring signals (See *Prasad*, the abstract). Thus, STP 20A and STP 20C function as signaling gateways. Furthermore, the routing table 550 in Fig. 6 of Prasad is also used to direct signals to the right destinations. Thus, the routing table 550 is also part of a signaling gateway. Therefore, contrary to the assertion by the Examiner, Prasad fails to teach or suggest a device that is not a signaling gateway, as recited in claim 11. Accordingly, even assuming for the sake of argument that one of ordinary skill in the art were somehow motivated to modify the combination of Niermann in view of Poole and Miller with the disclosure contained in Prasad, the proposed modification would still fail to yield a device that is not a signaling gateway, as recited in claim 11.

In view of the foregoing reasons, it is therefore respectfully requested that the rejection of claim 11 be reversed, and this dependent claim be allowed.

I. The rejection of claim 13 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad should be reversed.

Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad. This rejection should be reversed for at least the following reasons.

Claim 13 is dependent from independent claim 1. Thus, claim 13 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 1 above. It is therefore respectfully requested that the rejection of claim 13 be reversed, and this dependent claim be allowed.

J. The rejection of claim 14 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Lundstrom should be reversed.

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Lundstrom. This rejection should be reversed for at least the following reasons.

Claim 14 is dependent from independent claim 1. Thus, claim 14 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 1 above. It is therefore respectfully requested that the rejection of claim 14 be reversed, and this dependent claim be allowed.

K. The rejection of claim 15 under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad should be reversed.

Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Niermann in view of Poole, and further in view of Prasad. This rejection should be reversed for at least the following reasons.

Claim 15 is dependent from independent claim 1. Thus, claim 15 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth to independent claim 1 above.

Furthermore, claim 15 recites, "wherein the service application is not a signaling gateway." Thus, claim 15 recites a feature similar to that of claim 11 above. Accordingly,

Prasad fails to teach or suggest the feature recited in dependent claim 15 for at least the same reasons as set forth above in connection to claim 11.

In view of the foregoing reasons, it is respectfully requested that the rejection of claim 15 be reversed, and this dependent claim be allowed.

(8) Conclusion

For at least the reasons given above, the rejection of claims 1-2, 4-6, and 8-16 described above should be reversed and these claims allowed.

Please grant any required extensions of time and charge any fees due in connection with this Appeal Brief to deposit account no. 08-2025.

Respectfully submitted,

Dated: February 2, 2011

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(9) Claim Appendix

1. (Previously Presented) A method comprising:

receiving a message from an originating network element at an interface of a service application, wherein the service application interfaces with both a Signaling System 7 (SS7) network and an Internet Protocol (IP) network, and wherein the message includes a point code associated with the originating network element;

accessing a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network types;

processing the message with the MTP3 layer if it is determined that the point code associated with the originating network element corresponds to the SS7 network; and

processing the message with the M3UA layer if it is determined that the point code associated with the originating network element corresponds to the IP network.

2. (Previously Presented) The method according to claim 1, wherein the service application comprises a home location register (HLR) or a service control point (SCP).

4. (Previously Presented) The method according to claim 1, wherein the network selection table is populated automatically.

5. (Previously Presented) A device, comprising:

a communication interface configured to receive a message from an originating network element, wherein the device interfaces with both a Signaling System 7 (SS7) network and an Internet Protocol (IP) network, and wherein the message includes a point code associated with the originating network element;

a processor; and

a computer-readable storage medium including computer-readable instruction stored therein that, upon execution by the processor, cause the device to:

access a network selection table comprised within a message transport part layer 3 (MTP3) application programming interface (API) level of a protocol stack to determine how to process the message, wherein the protocol stack comprises both a MTP3 layer and a MTP3 user adaptation layer (M3UA) layer, and wherein the network selection table comprises entries that associate point codes with network type;

process the message with the MTP3 layer if it is determined that the point code associated with the originating network element corresponds to the SS7 network; and

process the message with the M3UA layer if it is determined that the point code associated with the originating network element corresponds to the IP network.

6. (Previously Presented) The device according to claim 5, wherein the device comprises a home location register (HLR) or a service control point (SCP).

8. (Previously Presented) The device according to claim 5, wherein the network selection table is populated automatically.

9. (Previously Presented) The device according to claim 5, wherein the network selection table is populated manually.

10. (Previously Presented) The device according to claim 5, wherein the network selection table comprised within the MTP3 API level of the protocol stack is separate from a routing table in the MTP3 layer.

11. (Previously Presented) The device according to claim 5, wherein the device is not a signaling gateway.

12. (Previously Presented) The device according to claim 5, wherein the originating network element is a service switching point (SSP) or a message switching center (MSC).

13. (Previously Presented) The method according to claim 1, wherein the network selection table comprised within the MTP3 API level of the protocol stack is separate from a routing table in the MTP3 layer.

14. (Previously Presented) The method according to claim 1, wherein the network selection table is populated manually.

15. (Previously Presented) The method according to claim 1, wherein the service application is not a signaling gateway.

16. (Previously Presented) The method according to claim 1, wherein the originating network element is a service switching point (SSP) or a message switching center (MSC).

(10) Evidence Appendix

None.

(11) Related Proceedings Appendix

None.